

THE PROTECTION OF LAWFUL  
COMMERCE IN ARMS ACT**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 2003*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in opposition to H.R. 1036, the Protection of Lawful Commerce in Arms Act. As a former federal prosecutor and the Attorney General of New Mexico, I have seen first hand that crimes committed with guns are among the most heinous, and should be prosecuted as quickly and forcefully as possible.

That is what concerns me most about H.R. 1036. Unfortunately, regardless of the criminal actions taken, it provides the gun industry with unprecedented immunity against civil liability prosecutions arising from such actions. Furthermore, in many cases it exempts manufacturers and dealers from product liability and provides disincentives to the industry to ensure that their products are safe. This legislation radically rewrites well-accepted principles of liability law by depriving gun violence victims of their legal rights in cases involving industry misconduct and negligence. If this bill is enacted, citizen lawsuits will no longer provide the primary mechanism to hold the gun industry accountable for its actions.

The bill only holds the gun industry accountable for physical injuries or property damage resulting directly from a defect in design or manufacture of the product "when used as intended." Furthermore, it only provides a remedy for gun transactions that cause injury if the dealer had knowledge prior to the transaction that the firearm would be used to commit a violent crime or to traffic drugs. This bill diminishes and limits a victim's recourse against intentional and unintentional conduct.

Amazingly, this bill is retroactive. It would provide for the dismissal of all pending litigation that falls outside of its limited exceptions. A case that is familiar to us all demonstrates the ramifications of this bill. The legal counsel for the families of the recent sniper shootings in the DC area alleges that a west coast arms dealer "intentionally and willfully" chose to sell and distribute firearms in a grossly negligent manner, ignoring state and federal laws designed to keep guns out of the hands of dangerous persons. Furthermore, the families claim that if the dealer had acted responsibly in the sale of its guns, the sniper suspects would not have been able to obtain the assault rifle they used to carry out their shootings. Regardless of the veracity of these allegations, this case would be dismissed under the provisions of H.R. 1036 unless the sniper suspects clearly indicated to the dealer that they intended to carry out their recent shooting spree. I think that goes too far.

The bottom line is this legislation is bad public policy. This bill illuminates the majority's willingness to erode an individual's protections from corporate wrongdoing. I oppose passage of this bill and urge my colleagues to do so as well.

REMEMBERING THE ARMENIAN  
GENOCIDE

SPEECH OF

**HON. MICHAEL E. CAPUANO**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 9, 2003*

Mr. CAPUANO. Mr. Speaker, I rise for the fifth consecutive year to commemorate a people who despite genocide, hardship, and betrayal have persevered. April 24, 2003, marks the 88th anniversary of the Armenian Genocide.

Throughout three decades in the late nineteenth and early twentieth centuries, millions of Armenians were systematically uprooted from their homeland of three thousand years and deported or massacred. From 1894 through 1896, three hundred thousand Armenians were ruthlessly murdered. Again in 1909, thirty thousand Armenians were massacred in Cilicia, and their villages were destroyed.

On April 24, 1915, two hundred Armenian religious, political, and intellectual leaders were arbitrarily arrested, taken to Turkey and murdered. This incident marks a dark and solemn period in the history of the Armenian people. From 1915 to 1923, the Ottoman Empire launched a systematic campaign to exterminate Armenians. In eight short years, more than 1.5 million Armenians suffered through atrocities such as deportation, forced slavery and torture. Most were ultimately murdered.

I have had the privilege of joining my colleagues in a letter to the President asking that he acknowledge the Genocide in his April 24th commemoration statement. It is my hope that the President will stand by this pledge he made in 2000. It is my hope that this will be one more step toward official recognition of the Armenian Genocide by the United States.

Many of our companions in the international community have already taken this final step. The European Parliament and the United Nations have recognized and reaffirmed the Armenian Genocide as historical fact, as have the Russian and Greek parliaments, the Canadian House of Commons, the Lebanese Chamber of Deputies and the French National Assembly. It is time for America to join the chorus and acknowledge the Armenians who suffered at the hands of the Ottoman Empire. And let me stress that I am not speaking of the government of modern day Turkey, but rather its predecessor, which many of Turkey's present day leaders helped to remove from power.

As I have in the past, as a member of the Congressional Armenian Caucus, I will continue to work with my colleagues and with the Armenian-Americans in my District to promote investment and prosperity in Armenia. And, I sincerely, hope that this year, the U.S. will have the opportunity and courage to speak in support of the millions of Armenians who suffered because of their heritage.

## CONTINUED REPRESSION IN CUBA

**HON. DOUG BEREUTER**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 2003*

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues the April

12, 2003, editorial from the Lincoln Journal Star, entitled "Castro shows he is still a brutal tyrant." As the editorial correctly notes, Cuban dictator Fidel Castro's recent crackdowns on political dissent cannot be tolerated.

CASTRO SHOWS HE IS STILL A BRUTAL TYRANT

Early this year, the College of Journalism and Mass Communications at the University of Nebraska arranged a trip to Cuba for students in its depth reporting class.

The students made an effort to talk to dissenters, pro-democracy activists and independent journalists.

Today, six of the people they met are in prison, according to student Sarah Fox. In addition, two Cubans met by the UNL group have been identified as government spies, according to Professor Joe Starita, a leader of the visit.

Since March 18, Cuban dictator Fidel Castro has jailed more than 75 Cubans, including many in the recent Varela Project, which collected more than 10,000 signatures last year calling for a pro-democracy referendum.

Castro's latest round of suppression shatters hopes the 76-year-old autocrat will permit meaningful progress toward democracy near the end of his long stay in power.

The people jailed by Castro were guilty only of exercising freedoms—criticism of the government, political activism, independent journalism—that Americans take for granted.

Raul Rivero, a poet and independent journalist, already has been sentenced to 20 years in prison after pre-ordained legal proceedings. Also facing long prison sentences are economist Martha Beatriz Roque, labor activist Pedro Pablo Alvarez and editor Ricardo Gonzalez.

During the crackdown, government officials hauled the dissidents from their homes and confiscated tape recorders, fax machines, computers and clippings from American newspapers.

Amnesty International described the sentences as "a giant step backward for human rights." The U.S. State Department described them as "the most despicable act of political repression in the Americas in a decade." The Human Rights Watch said Cuba is "flouting fundamental human rights norms."

The level of repression in Cuba has fluctuated during the 43 years Castro has held power. In recent years, however, Castro seemed more tolerant of dissent, and he opened the doors of the island nation to tourists and international visitors.

Despite the welcome influx of foreign currency, Castro eventually felt threatened by the opposition movement in Cuba. Adding to Castro's paranoia was encouragement given to Castro's opponents by the American government.

The top U.S. diplomat in Cuba, James Cason, met with dissidents, offered them public support and allowed them to use U.S. facilities in Cuba for their meetings.

If Castro had been willing to continue loosening the reins of power, Cuba could have enjoyed the economic benefits of increased tourism and trade. Instead, his crackdown reaffirms that Castro is nothing more than a garden variety tyrant more interested in clinging to power than improving the lives of his people.

A PROCLAMATION RECOGNIZING  
AIMEE NAGLE**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 2003*

Mr. NEY. Mr. Speaker,

Whereas, Aimee Nagle has devoted herself to serving others through her membership in the Girl Scouts; and

Whereas, Aimee Nagle has shared her time and talent with the community in which she resides; and

Whereas, Aimee Nagle has demonstrated a commitment to meet challenges with enthusiasm, confidence and outstanding service; and

Whereas, Aimee Nagle must be commended for the hard work and dedication she put forth in earning the Girl Scout Gold Award;

Therefore, I join with the Girl Scouts, the residents of West Lafayette and the entire 18th Congressional District in congratulating Aimee Nagle as she receives the Girl Scout Gold Award.

CONGRATULATING MICHAEL B. KITCHEN

**HON. TAMMY BALDWIN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 2003*

Ms. BALDWIN. Mr. Speaker, I rise today to extend congratulations to Michael B. Kitchen, an outstanding business and community leader. On May 17, 2003, the National Ethnic Coalition of Organizations will bestow upon Mr. Kitchen the Ellis Island Medal of Honor in New York City. The Ellis Island Award honors an immigrant who exemplifies outstanding qualities in both their personal and professional life. Michael Kitchen, a Canadian and United States citizen, has shown through his significant contributions to the greater Madison area that he is richly deserving of this prestigious award.

Michael Kitchen has achieved a high level of professional success. After three years as head of the CUMIS Group of Canada, Mr. Kitchen was appointed President and CEO of its subsidiary, CUNA Mutual Group, in 1995. Since Michael Kitchen took over, the organization has achieved dramatic growth in revenue, significant improvement in productivity, and a near doubling of financial strength. Mr. Kitchen's work in this particular field has furthered economic growth not only in the Madison community, but worldwide.

Michael Kitchen is firmly committed to furthering the insurance and financial service industry. For more than thirty years he has worked tirelessly to foster the credit union movement. He serves on both the Board of Directors for the American Insurance Association and the U.S. Chamber of Commerce.

In addition, Michael Kitchen has a long record of service to the community. He is on the board of directors for the United Way of Dane County and the Greater Madison Chamber of Commerce. Both of these commitments show his strong sense of civic duty as he generously gives of his time and talent.

Today, I join the extensive circle of Michael Kitchen's friends and colleagues in offering my sincere congratulations for receiving this honor. Michael Kitchen is one of Wisconsin's best and we are proud to recognize him today.

IN RECOGNITION OF YOM HA'SHOAH—THE HOLOCAUST REMEMBRANCE DAY

**HON. E. CLAY SHAW, JR.**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 2003*

Mr. SHAW. Mr. Speaker, I rise today in recognition of Holocaust Remembrance Day. More than fifty years have elapsed since world experienced the horrors of the Holocaust. Year-round, we actively battle against ignorance and disbelief through educating and informing others about the causes, realities, and legacies of the Holocaust. But there is one day during the year when we make a special effort to commemorate the Holocaust. Although no singular day stands out as representative of the destruction and suffering that spanned the years of the Holocaust, we set aside the day of Yom Ha'Shoah, which corresponds to the 27th of Nisan on the Hebrew calendar, to memorialize the tragedy and pay tribute to all who suffered.

Today, we remember those who endured, those who fought, and those who died during World War II. We recognize not only the loss of more than six million Jewish lives, but also the loss of human potential. Entire families were decimated during the terror that marked this dark time in history. We call to mind the descendants of victims of the Holocaust who never had the opportunity to make their contributions to mankind. And we recall the heroes who risked and surrendered their lives in the greatest fight for freedom and democracy the modern world has ever known.

Our greatest tribute to those millions who suffered at the hands of the Nazis will be to ensure that their memory will forever endure in our hearts. It is through our reflections on Holocaust Remembrance Day that we acknowledge our loss, and it is through our actions that we educate future generations and build a new world for them. The fires of hatred, which blazed so brightly in Europe from 1939 through 1945, have not yet burned out. They continue to smolder in the hearts of terrorists worldwide. Today we join in a solemn bond with the victims of the Holocaust to extinguish the fires of hatred and to ensure that the world will never suffer such a horrific tragedy again.

With contemporary illustrations of antagonism fresh in our minds, we marvel at the strength and character of the Jewish people. Their steadfast determination to rebuild their lives following the Holocaust has given the world a remarkable model of resolve. Through their example, we can glimpse the extraordinary human spirit that rises above the fruitlessness of anger and resentment. With this special day and with our deeds we honor that spirit. Mr. Speaker, we observe Holocaust Remembrance Day to always remember and never forget. I am proud to recognize Yom Ha'Shoah and urge all Americans to do the same.

TRIBUTE TO GEORGE C. EYRICH

**HON. ROB PORTMAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 2003*

Mr. PORTMAN. Mr. Speaker, I rise today to honor the memory of George C. Eyrich, a dis-

tinguished Cincinnati lawyer, public servant and friend, who passed away on April 15, 2003.

George Eyrich was part of a family legacy of public service. He led the Hamilton County, Ohio Republican party for nine years with deft skill and gentle persuasion. His father, George F. Eyrich, Jr., also served as Hamilton County Republican Chairman and as a Municipal Court judge.

George C. Eyrich was a good listener, a gentle man and a wise counselor. When someone remarked that he was "too nice to be a politician," he responded that he just lived his words. George was the party chairman when I was a college student on the staff of the campaign of my predecessor in Congress, Bill Gradison, and for the later campaigns of President George H.W. Bush. He loved politics, and was a good mentor.

A lifelong resident of the Cincinnati suburb of Westwood, he graduated from Western Hills High School, Ohio Wesleyan University; the Harvard College of Business; and the University of Cincinnati College of Law. George served our nation as a Second Lieutenant in the United States Navy stationed in the Pacific during World War II. He practiced law in Cincinnati as a partner in Wesselman & Eyrich.

George served as treasurer of the Ohio State Central Committee; chairman of the Hamilton County Republican Central Committee's Policy Committee; and chairman of the Hamilton County Board of Elections. He was also very involved in civic affairs. He served as chairman of the Board of Trustees of St. Francis-St. George Hospital, and a member of the board of directors for the Public Library of Cincinnati and Hamilton County, the University of Cincinnati, and the Cincinnati Central YMCA.

Devoted to his wonderful family, George is survived by his wife of 60 years, Gertrude ("Trudy"); a son, David; two daughters, Carole and Janet; five grandchildren; and two great grandchildren.

All of us in Cincinnati are grateful for George's leadership and public service and we feel blessed for having known him.

IN RECOGNITION OF WILLIAM KAISER

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 2003*

Mr. ISRAEL. Mr. Speaker, I rise today in recognition of William A. Kaiser, an outstanding volunteer firefighter from Halesite, New York.

After serving in the United States Coast Guard, Mr. Kaiser joined the Halesite Fire Department 50 years ago. He rose to the rank of Chief of Department, following in the footsteps of his father. He is still an active member of the Department today. Chief Kaiser is the epitome of what a volunteer fireman exemplifies: dedicated, caring, selfless, honest and trustworthy.

I commend Chief Kaiser for his dedicated service to firefighting on Long Island, and congratulate him on 50 years with the Halesite Fire Department.